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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/780,471

02/17/2004

Rishi Mohindra

853463.421C1

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7590

04/29/2009

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EXAMINER

AFSHAR, KAMRAN

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10780471 | 2/17/2004 | MOHINDRA ET AL. | PHA23.914A |

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| ART UNIT | PAPER |
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| 2617 | 20090424 |

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Commissioner for Patents

In further review, whether claims 1, 4-6, and 15-19 of the instant application are set forth as method claims that would fall with one of the four statutory categories of invention recited in 35 U.S.C. § 101.

It is determined that the in-phase and quadrature component in the body of the claim(s) are signal component. As such, human can not receive signal, thus the determining steps has to be done by a machine or an apparatus which makes the claim(s) inherently tied to a machine or an apparatus that performs the process, Therefore, claims 1, 4-6, and 15-19 fall with one of the four statutory categories.

/Kamran Afshar/
Primary Examiner, Art Unit 2617